

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CESARI S.R.L.,

Plaintiff,

ENDORSEMENT

- against -

17 Civ. 873 (NRB)

PEJU PROVINCE WINERY L.P., PEJU FAMILY
OPERATING PARTNERSHIP L.P., and PEJU
PROVINCE CORPORATION,

Defendants.

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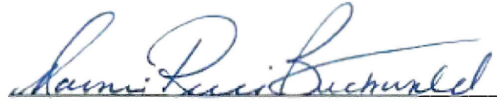
NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

The requested subpoena appears to be both unnecessary and improper. See ECF No. 425. To the extent the subpoena is intended to ensure plaintiff's expert's attendance at her deposition, it is unnecessary as there is already an agreed upon date. To the extent the subpoena is directed to the production of documents and communications, it is clearly violative of Fed. R. Civ. P. 26(b)(4)(C) in many respects. To the extent that it seeks information consistent with Fed. R. Civ. P. 26(b)(4)(C), the Court has no reason to believe that the facts, data, and assumptions underlying plaintiff's expert's opinions have not already been disclosed in her report and extensive exhibits binder. Surely, plaintiff need not reproduce materials already furnished. With the possible exception of compensation information, defendant is not entitled to additional materials. If the Court's assumption

about the completeness of the disclosure of permissible materials is incorrect, that can be explored at plaintiff's expert's deposition.

SO ORDERED.

Dated: New York, New York
May 1, 2023



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE